

## Endangered Species Program

Program Elements		2005 Actual	2006 Enacted	FY 2007			Change from 2006 (+/-)
				Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Candidate Conservation	\$(000) FTE	9,142 71	8,619 71	+125 -	-681 -	8,063 71	-556 -
Listing	\$(000) FTE	15,710 94	17,630 94	+158 -	-29 -	17,759 94	+129 -
Consultation/HCP	\$(000) FTE	47,281 447	47,997 447	+927 -	+413 +5	49,337 452	+1,340 +5
Recovery	\$(000) FTE	69,270 490	73,562 490	+1,048 -	-8,731 -2	65,879 488	-7,683 -2
User-Pay Cost Share	\$(000)	[83]	-	-	-	-	-
<b>Total, Endangered Species</b>	<b>\$(000) FTE</b>	<b>141,403 1,102</b>	<b>147,808 1,102</b>	<b>+2,258 -</b>	<b>-9,028 +3</b>	<b>141,038 1,105</b>	<b>-6,770 +3</b>

### Summary of FY 2007 Program Changes for Endangered Species

Request Component	Amount	FTE
<b>Program Changes</b>		
• Candidate Conservation	-592	0
• Candidate Conservation Program Management Savings	-89	0
• Listing Program Management Savings	-29	0
• Consultation/HCP	+471	+5
• Consultation/HCP Program Management Savings	-58	0
• Recovery	-8,585	0
• Recovery Program Management Savings	-146	-2
<b>Total, Program Changes</b>	<b>-9,028</b>	<b>+3</b>
<b>Related Program Changes in other Accounts</b>		
• Private Stewardship Grants	+2,123	0
• Landowner Incentive Program Grants	+2,733	0
<b>Total Program Changes for Endangered Species</b>	<b>-4,172</b>	<b>+3</b>

The FY 2007 budget request for Endangered Species is \$141,038,000 and 1,105 FTE, a net program decrease of \$9,028,000 and +3 FTE from the 2006 enacted level. Requested changes are discussed under the individual program element discussions.

**Program Performance Change Table**

<b>Total Performance Change</b>		<b>+105 timely formal and informal energy consultations</b>			
	<b><u>A</u></b>	<b><u>B</u></b>	<b><u>C</u></b>	<b><u>D=A+B+C</u></b>	<b><u>E</u></b>
	<b>Overall Performance Changes from 2006 to 2007</b>				
<b>Measure</b>	<b>2006 Enacted Performance</b>	<b>2007 Base Performance</b>	<b>2007 Impact of Program Change on Performance</b>	<b>2007 Budget Request Performance</b>	<b>Out-year Impact of 2007 Program Change on Performance</b>
Percent of formal and informal energy consultations addressed in a timely manner (BUR)	87% (3,720 / 4,289)	88% (3,948 / 4,504)	+2% +105	90% (4,053 / 4,504)	-
<b>Column B:</b> The performance level expected to be achieved absent the program change (i.e., at the 2006 request level plus/minus funded fixed cost/related changes); this would reflect, for example, the impact of prior year funding changes, management efficiencies, absorption of fixed costs, and trend impacts.					
<b>Column E:</b> The out-year impact is the change in performance level expected in 2008 and Beyond of ONLY the requested program budget change; it does <u>not</u> include the impact of receiving these funds again in a subsequent outyear.					

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## Program Overview

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The Fish and Wildlife Service's Endangered Species program is comprised of four program elements: Candidate Conservation, Listing, Consultation and Recovery. Each component is integral in fulfilling the Service's responsibilities under the *Endangered Species Act*.

The **Candidate Conservation** program involves a proactive and collaborative approach with states and territories, tribes, federal agencies, and the private sector to keep species from declining to the point that they warrant listing under the *Endangered Species Act*. Through this program the Service works to: (1) identify species that are on the brink of becoming listed or that face threats that make listing a possibility; (2) provide information, planning assistance, and resources to encourage partnerships for conservation measures for these species; and (3) prioritize non-listed species so those most needing protection or additional study are addressed first. The Service believes this collaborative approach is an essential conservation tool that proactively addresses species decline, removes or reduces threats, and initiates actions so that listing might not be necessary.

The **Listing** program is the mechanism through which plant and animal species are afforded the full range of protections available under the *Endangered Species Act*. These protections include: prohibitions on taking, import/export and commerce, and possession of unlawfully taken endangered species; recovery planning and implementation; and federal agency consultation requirements. Listing a species is a responsibility of the Service when, on the basis of the best available scientific information, a species is determined to be threatened or endangered. The program includes listing species under the Act, designating critical habitat and responding to petitions from the public to list species.

The **Consultation** program responds to the needs of federal agencies through section 7 of the *Endangered Species Act*, as well as meeting the needs of non-federal entities through the Habitat Conservation Planning (HCP) program (section 10 of the *Act*). The Service works with its federal partners to identify and resolve potential species conflicts in the early stages of project planning. The Service also addresses the needs of non-federal entities by participating as an equal partner in the HCP planning process. Both the section 7 and section 10 processes are used to ensure that projects will be implemented in a manner consistent with the conservation needs of listed species.

The **Recovery** program supports the ultimate goal of threatened and endangered species conservation which is to recover listed species to levels where protection under the *Endangered Species Act* is no longer required and they can be removed from the list (delisted). Restoring listed species to a point where they are secure, self-sustaining components of their ecosystem is a challenging task. The factors responsible for their endangered status may have been at work for hundreds of years, and reversing declines, stabilizing populations, and achieving recovery goals may require coordinated actions from many partners over a lengthy period.

### Program Assessment Rating Tool (PART)

During FY 2005, the Endangered Species Program (including the Cooperative Endangered Species Conservation Fund and the Private Stewardship Grant Program) was evaluated using the Program Assessment Rating Tool (PART). The PART examined the Program's purpose, planning, management, and most importantly, its performance and results. The assessment found that the program has a clear purpose to conserve threatened and endangered species and their habitats; however, the program lacks long-term outcome and annual output-oriented performance measures to reflect on the program's results. Additionally, the PART found:

- The program's effectiveness is limited by strict deadlines, regulatory measures that provide little biological benefit, and over-reliance on regulations rather than cooperative efforts. Changes in the program design and implementation could help to improve the effectiveness of the program.

- It is difficult to determine whether the program, including regulated activities, is effective, achieving results, and maximizing net benefits. Regularly scheduled, non-biased, independent program evaluations would help address this gap. Due to the nature of the program, evaluations of key components of the program that collectively cover the entire program will likely be appropriate.

In response to these PART findings, the Service will:

- Develop long-term outcome and annual output performance measures. Achievement of the outcome goals will depend on the efforts of many and require the Endangered Species program to continue working with partners.
- Ensure regulations and policies help improve the program's effectiveness. This may include revising the invalidated definition of adverse modification and issuing critical habitat guidance.
- Develop a process and timetable for regularly scheduled, non-biased, independent evaluations of the program or key components of the program that, collectively, cover the entire program.

**Performance Overview<sup>1</sup>**

Measure	2005 Plan	2005 Actual	Change from 2005 Plan	2006 Enacted	2006 Change from 2005 Actual	2007 Request	2007 Change from 2006
Percent of Candidate Species Where Listing is Unnecessary as a Result of Conservation Actions or Agreements (SP)	2% (4/256)	1.2% (3/256)	-.8%	1.4% (4/283)	+.2%	1.5% (4/269)	+.1%
Percent of threatened or endangered species listed a decade or more that are stabilized or improved. (SP) <sup>2</sup>	37% (352/940)	37% (350/937)	-	38% (356/942)	+1%	33% (366/1089)	-5% <sup>2</sup>
<b>Workload Measures</b>							
Number of species listed as endangered or threatened (BUR)	8	8	-	5	-3	5	+0
Number of listing/uplisting petition findings completed (90-day and 12-month) (BUR)	19	19	-	39	+20	40	+1
Number of species for which critical habitat is proposed (BUR)	11	11	-	13	+2	21	+8
Number of species for which critical habitat is finalized (BUR)	22	22	-	13	-9	15	+2
Number of formal and informal consultations completed (BUR)	Establish baseline	39,448	N/A	40,600	+1,152	41,800	+1,200
Number of acres covered by HCPs (cumulative) (BUR)	Establish baseline	40,382,682	N/A	40,549,603	+166,921	40,590,152	+40,549
Number of 5-year reviews initiated (BUR)	118	182	+64	243	+61	245	+2

<sup>1</sup> The performance measures in this table include existing GPRA Strategic Plan performance measures and program-level workload measures. The program is developing new long-term outcome and annual output performance measures as a result of a PART review conducted in 2005. Additionally, the Department is undergoing a revision of its Strategic Plan which may also result in revised or new performance measures.

<sup>2</sup> This percentage is expressed as the number of species listed a decade or more that had a stable or improving status divided by the total number of species listed a decade or more. While the percentage is decreasing, this is due to the increase in the number of species listed a decade or more. The number of stabilized species is expected to increase by 10 in 2007 compared to 2006.

**Endangered Species – Use of Cost and Performance Information**

- For FY 2006, the FWS has revised its allocation methodology for Listing and Critical Habitat funds to the Regions and the California/Nevada Operations Office (CNO). This workload-based allocation was redesigned to provide more transparency to the allocation process, provide a timeline process that facilitates early development and predictability of the allocation, and to distinguish between funds provided for rule-making packages at the field versus Regional Office and CNO overhead, providing a clear definition for overhead funds. This approach to the listing and critical habitat allocations ensures that our highest priority (usually court-ordered) listing actions have been funded and undertaken.
- The Service targeted some of its FY 2006 consultation funds to support energy development activities by other Federal agencies. Additional funding was provided to the Regions based on the anticipated energy-related consultation workload associated with petroleum development, coal mining, and hydropower. Information about the likely energy-related workload was derived from the Department of Energy. By taking this approach, instead of allocating the consultation increase by the existing formula, the Service is able to anticipate and better meet this energy-related consultation workload and further contribute to the Department's resource use goal of fostering energy development in an environmentally sound manner. The increase in FY 2007 funding for consultation will be directed to towards further increases in the energy-related consultation workload expected in the West.
- Starting in FY 2004, the Service has addressed the high-priority needs of (1) species on the brink of extinction, and (2) species at the verge of recovery through a competitive approach. Rather than allocating funds by formula, the Regions request funding for specific projects. This competitive approach to allocating this funding ensures that the highest priority needs are met, no matter where they occur in the country, while encouraging increased efficiency in project implementation (as among projects of roughly equal priority, lower-cost proposals are more likely to be funded).
- Wildfires, especially in parts of the American West where fires near communities have been suppressed for decades, pose a significant threat to life and property. Fires can affect listed species, and at times fire management and prevention activities can also affect listed species. When carried out by federal agencies, actions to reduce hazardous fuel loads may require section 7 consultation. To ensure Service staff is available to conduct these consultations promptly, the Service, in FY 2001 entered into cooperative agreements with the USFS and the BLM, which agreed to reimburse Service consultation costs for fire activities, as authorized by Congress. In FY 2006, the Service will again enter into cooperative agreements with BLM and the USFS, but at a greatly reduced level from previous years due section 7 counterpart regulations described below. These agreements help the Service give highest priority to addressing consultation requests for projects to reduce hazardous fuel loading in support of the Department's and the President's fire management goals.
- In FY 2003, the Service, in cooperation with NOAA-Fisheries, BLM, USFS, and BIA, proposed section 7 counterpart regulations that allow the action agencies to make "not likely to adversely affect" determinations for fuels management projects. These regulations, which were finalized early in FY 2004, allow the Service to focus consultation resources on those projects that are likely to have the greatest impacts on listed species, while reducing the workload burden of informal consultations on fuels management actions.
- In FY 2006, the Service launched a new national Tracking and Integrated Logging System (TAILS) for Federal Activities, Environmental Contaminants and Section 7 Interagency Consultations. This system replaces local, individualized workload tracking systems to allow more consistency and better accountability in reporting accomplishments at the regional and national level for GPRA and other purposes.